

Amend claim 14 as follows:

¹⁹
In line ~~379~~, the language "an extension" was changed to: - - a seller has authorized a predetermined number of extensions - -

¹⁹⁻²⁰
In line ~~379-380~~, the language "was authorized by a seller" has been deleted.

²⁴
In line ~~312~~ after "said auction period", the language - - up to the predetermined number of extensions - - was added.

²⁴⁻²⁵
In lines ~~384-385~~ the language "automatically extending said auction period if said extension of said auction period was authorized" was changed to - - automatically extending said auction period up to the predetermined number of extensions if said extensions of said auction period were authorized."

The following is an examiner's statement of reasons for allowance:

Examiner notes that the present invention is patentable over US Patent number 6,230,147 to Alaia et al. for at least the reasons set forth by the Board of Patent Appeals and Interferences in the Decision mailed 4/28/06.

Following the decision by the Board of Patent Appeals and Interferences the Examiner performed an updated search. This search yielded US Patent Application Number 2002/0103740 to Maroney. Examiner notes that the present invention is patentable over Maroney because the "overtime" of Maroney is not an extension of the auction period but rather a second phase which is limited to a private negotiation between one buyer and the seller.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert Wilder on November 14, 2006.

The application has been amended as follows:

Reference the claims presented with the Appeal Brief filed 11/28/04.

Amend claim 1 as follows:

In line ¹⁷~~307~~, the language "an extension" was changed to: - a seller has authorized a predetermined number of extensions - -

In line ¹⁷⁺¹⁸~~308~~, the language "was authorized by a seller" has been deleted.

ADDED IN
NEXT AMENDMENT
In line ²²~~312~~ after "~~said auction period~~", the language - - up to the predetermined number of extensions - - was added.

In lines ²²⁻²³~~312-313~~ the language "automatically extending said auction period if said extension of said auction period was authorized" was changed to - - automatically extending said auction period up to the predetermined number of extensions if said extensions of said auction period were authorized."